

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

RAYMOND E. BLAKE, ANTHONY M. :
WALKER, MICHAEL A. JOY, and :
ANTHONY D. ROGERS, :
 :
Plaintiffs, :
 :
v. : Civil Action No. 07-405-JJF
 :
HEALTHCARE CMS, WARDEN RAPHAEL :
WILLIAMS, COMMISSIONER CARL C. :
DANBERG, GOVERNOR RUTH ANN :
MINNER, and MAYOR JAMES M. :
BAKER, :
 :
Defendants. :

ORDER

WHEREAS, Plaintiffs filed a civil rights action pursuant to 42 U.S.C. § 1983 without prepayment of the filing fee;

WHEREAS, this Court granted Plaintiff Raymond E. Blake ("Blake") leave to proceed without prepayment of fees, and on September 12, 2007, entered an Order requiring Blake to complete and return an authorization form within thirty days or the case would be dismissed (D.I. 18);

WHEREAS, the time period has lapsed, and to date the authorization form has not been received from Blake;

WHEREAS, Plaintiffs, Anthony M. Walker ("Walker") and Anthony D. Rogers ("Rogers"), were prisoners incarcerated at the Howard R. Young Correctional Institution, Wilmington, Delaware at the time they filed their Complaint under 42 U.S.C. § 1983, along with applications to proceed in forma pauperis pursuant to 28

U.S.C. § 1915;

WHEREAS, the Court entered Orders granting Walker and Rogers leave to proceed in forma pauperis and required Walker and Rogers, along with the other named Plaintiffs, to pay the \$350.00 filing fee, jointly and severally, as determined by statute, and further assessed Walker an initial partial filing fee of \$9.50, and Rogers an initial partial filing fee of \$.60 (D.I. 10, 18);

WHEREAS, on October 10, 2007, the Court was notified that Walker and Rogers are no longer incarcerated (D.I. 22, 23);

WHEREAS, on December 28, 2007, the Court ordered Walker and Rogers to either pay the balance of the filing fee owed (\$350.00) or to submit a new standard form applications to proceed without prepayment of fees and affidavit within thirty days of the date of the order or they would be dismissed as Plaintiffs (D.I. 27);

WHEREAS, the time has lapsed and Walker and Rogers have not complied with the Court's Order of December 28, 2007;

THEREFORE, at Wilmington this 21 day of February, 2008, 2007, IT IS HEREBY ORDERED that Raymond E. Blake, Anthony M. Walker, and Anthony D. Rogers are **DISMISSED WITHOUT PREJUDICE** as Plaintiffs in this case.


UNITED STATES DISTRICT JUDGE